



Larry Englerth
Executive Director

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August 10, 2006

Bob Schuetzle
Valley Telecommunications
102 Main Street
Herreid, SD 57632

Bruce Mack
11510 362nd Ave
Leola, SD 57456

Under the authority granted by SDCL 49-7A-22, the Enforcement Committee of the South Dakota One Call Notification Board met on July 13, 2006, to determine whether there is probable cause to believe that a violation(s) had occurred relative to Complaint OC06-003 filed by Valley Telecommunications Cooperative Inc. against Bruce Mack.

Under SDCL 49-7A-27 either party has the option to accept the recommendations of the Enforcement Committee or reject the recommendations of the Enforcement Committee by requesting a formal hearing on any of the violations alleged in this complaint.

Mr. Mack has not provided a written response to the recommendations of the Enforcement Committee. On Monday, August 7th, I did visit with Mr. Mack regarding this matter and was advised that it was his intention to reject the recommendation of the Enforcement Committee of the South Dakota One Call Notification Board. I did request that Mr. Mack provide a written response to the Enforcement Committee recommendation.

Therefore, the South Dakota One Call Notification Board will conduct a contested case hearing as set forth in SDCL Chapter 1-26 to resolve the alleged violations in this complaint. Following the hearing, the Board shall render a decision in the matter.

The arrangement for this hearing will be coordinated with our legal staff. I have provided them the following contact information to facilitate the scheduling of the hearing.

Representing Valley Telecommunications
Margo Northrup
Ritter, Rogers, Wattier & Brown, LLP.
319 South Coteau Street
Pierre, SD 57501-0280
(605) – 224-5825

Representing Bruce Mack
Bruce Mack
11510 362nd Ave
Leola, SD 57456
605-439-3611

With the exception of the taped conversations between Mr. Mack and the South Dakota One Call Center, copies of all information related to this complaint are referenced on our web site <http://www.state.sd.us/puc/commission/dockets/onecall/2006/oc06-003/oc06-003.htm>. If you desire a copy of this material or if you have any procedural questions relative to this complaint, please contact me at 605-339-0529 or by email at exedir@sdonecall.com. I would request that you do not contact any members of the South Dakota One Call Notification Board to discuss this complaint. Since they will be involved in the Chapter 1-26 hearing to resolve of the complaint, they have been advised by legal counsel to not discuss any pending complaint before the Board.

If you have legal questions regarding this matter, please contact the legal staff at the Public Utilities Commission.

Sincerely,

Larry L. Englerth
Executive Director

Cc: Kara Van Bockern, legal counsel to the South Dakota One Call Board
Margo Northrup, legal counsel to Valley Telecommunications